

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JAVIER A. HERNANDEZ-CHAVEZ,

Petitioner,

Case No. 2:20-cv-800-CL

v.

ORDER

TYLER BLEWETT,

Respondent.

MCSHANE, Judge:

Magistrate Judge Mark D. Clarke filed a Findings and Recommendation (ECF No. 62), and the matter is now before this court. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Petitioner filed objections to the Findings and Recommendation. I have reviewed the file of this case *de novo*. *See* 28 U.S.C. § 636(b)(1)(c); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). I find no error.

Magistrate Judge Clarke's Findings and Recommendation (ECF No. 62) is ADOPTED.

The Petition (ECF No. 2) is DISMISSED. Because Petitioner has not made a substantial showing of the denial of a constitutional right, the Court declines to issue a Certificate of Appealability.

See 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

DATED this 24th day of May, 2024.

/s/ Michael J. McShane
Michael McShane
United States District Judge